

I am asking for your support of this amendment to repeal the exemptions granted to Public Service Corporations in the Eminent Domain Bill, HF 1182. These companies should be held to the same standards as any other entity using eminent domain to procure property for their project. I am describing what may happen to us if the CapX 2020 line goes through our farm as a small snapshot of what is played out throughout Minnesota all too often.

My husband and I live on and farm the very land his great grandfather purchased on February 4, 1892, and are proud to live in the house his grandfather started building in 1904. Our farm has been declared a century farm by the state of Minnesota. Over the years we've made many improvements to the farm and vintage home. We've also improved our 140 acres of farmland by tiling, maintaining grass waterways, contour plantings on hills, minimum tillage and added organic material to build and maintain topsoil. The farm, in return, has been good to us and we have been able to maintain a comfortable living farming. Our son has been operating the farm with us for the last several years.

We make our living on this farm and have reinvested much of the proceeds back into the farm. We thought our farm was a very good investment and had planned to derive our retirement income from it. We have maintained a lifestyle which we felt would ensure good health well into our retirement.

Now CapX is proposing to build part of their 247 mile double 345 kV transmission line from Brookings to Hampton through our area including through the middle of our farm fields with a mile of line through the middle of our fields. In our unique situation our farm is both the preferred and alternate route, although law states they must choose two different routes.

The posts for this line are to be 175 feet high plus a 30 to 40 foot footing. The poles will be 6 to 12 feet wide at the base. Living and working very close to these high voltage lines will compromise our health as well as our means of earning a living. Much of our income will be lost to all these structures in the middle of our fields for many reasons:

Farm equipment is large and will be larger in the future. You can not easily navigate a 45 foot wide planter or a 90 foot wide sprayer around a huge dangerous obstacle in the middle of your fields, thus land is taken out of production. CapX states pole impact area is 1000 square feet. This may be the case in a roadside ditch or possibly in a lawn, but in agricultural fields where large equipment is used much more area is out of production both in the immediate unplanted area around the pole plus corresponding area in the field where you swerved resulting in a double planted and thus overpopulated area with very low yield. You are wasting very expensive land, seed and fertilizer in these areas. GPS systems on the equipment will not function correctly with the line interference either so you can not use your land and resources to obtain optimum profits.

Productive farm topsoil is about 1.5 feet deep in our area with clay/ loam mix to 3 feet and a higher percentage of clay from 3 to 5 feet. The heavy equipment used for construction compacts and ruts up the soil causing it to be unproductive for many years. Construction equipment for the project will need to access the pole site in the middle of our fields destroying much crop in the process of traveling and maneuvering in the fields. The transmission lines are designed to operate for decades so this scenario will be played

out again each time the lines need to be inspected and repaired throughout the years of use.

Another huge issue of these power lines is the health effects caused by the Electromagnetic Field they create. Many studies associate high voltage power lines with childhood leukemia, breast cancer, brain cancer, ALS and Alzheimer's disease. CapX does not recognize these studies or associate any detrimental health effects to living and working close to high voltage power lines, but I assume Agent Orange was proclaimed to be safe also and look at the health consequences our Vietnam War Veterans are suffering with.

With the combined effects of crop yield reduction, the hazard and difficulty of navigating large equipment around a highly energized power line in your path while farming, the health effects, and the visual and noise pollution the poles and lines create the value of our 140 acres will be drastically reduced.

All of the above issues would greatly reduce our yearly income forever. This farm is our family's means of supporting ourselves. Many miles of this line are affecting prime farm fields and families like ours as well as other businesses from Brookings, So. Dakota to Hampton, MN.

I have attended most CapX open houses and hearings and many people have testified whose houses are close to this power line and they don't want to raise their young family under it for health reasons. People, who have survived cancer, do not want to submit themselves to the electromagnetic fields associated with the power lines as data suggests increased risk of childhood leukemia, brain cancer, breast cancer, ALS and Alzheimer's disease. Others have testified that MinnCan took their back yard for the oil pipeline in 2008 and now the power line wants to use their front yard for this transmission line.

The completed MinnCan pipeline and proposed CapX 2020 power line are just two of the projects that will affect Minnesota property owners. There are preliminary talks of a pipeline from North Dakota to New Jersey, as well as projects transmitting wind generated electricity to the east coast.

Minnesota citizens need to be fairly compensated when utility companies insist on using their property as a transmission corridor. The citizens should not be required to accept the very low compensation utility companies offer because they can not afford to fight it with the associated lawyer and appraisal fees, lost wages due to negotiations, etc. These companies derive decades of income from the utility transmission corridor while the farmers lose yearly income due to lost production and recurring disturbance of their fields for maintenance to the transmission line or pipeline. These companies using eminent domain to acquire the land for their pipeline, transmission lines, etc. are far from non-profit public service companies. In doing research on them I have found the following information.

Xcel Energy, which is a 70% partner of the CapX power line, reported 2009 generally accepted accounting principles earnings of \$681 million. 2008 earnings were \$646 million.

Ottertail Corporation is also one of the CapX partners. Their 2008 revenues were reported to be \$1.3 billion with a net income of \$35 million.

The Pine Bend Refinery located in Rosemount and Inver Grove Heights is commonly referred to as the Koch Refinery. It is owned by Flint Hills Resources, a subsidiary of Koch Industries. This refinery is the beneficiary of the MinnCan oil pipeline. A timeline on Koch Industries on their website at [www.kochind.com/timeline.asp](http://www.kochind.com/timeline.asp) has the following information:

1988 Construction of the Wisconsin Pipeline to provide outlet for increased Pine Bend Refinery output.

2004 Flint Hills Resources purchases Alaska assets including a crude oil refinery in North Pole and product terminals in Fairbanks and Anchorage.

2006 Forbes magazine names Koch Industries, Inc. the largest private company in the U.S.

2007 Publication of the, Science of Success: How Market-Based Management Built the World's Largest Private Company, written by Koch Industries, Inc. Chairman and CEO, Charles G. Koch.

2008 The MinnCan Project, a 304-mile expansion of the Minnesota Pipe Line System, was completed; it will deliver crude oil to refineries in the Twin Cities.

Above, Koch Ind. is claiming the installation of this 304 mile oil pipeline is one of the company's most significant accomplishments for 2008. Part of that pipeline traversed many farms and homes directly north of us. Many of our neighbors have ill-feelings toward Koch for the way they were treated during land acquisition and the extremely low price they were paid for the pipeline easement. Also following installation many found their fields left in an unusable condition. This law needs to be changed so landowners can be more adequately compensated for the land rights these big companies obtain for their transmission corridors.

In 2006 Koch was the largest private company in the U.S.: Excel's 2009 earnings are \$681 million dollars. These companies are far from non-profit companies striving to bring their product to the American public. They are huge profitable companies out to make more money by using the eminent domain laws to procure land to build transmission corridors. These companies probably have lawyers whose sole job is to procure easements for the least possible compensation. How can your average citizen trying to support themselves and their families compete with them? Striking these exemptions from the eminent domain bill will still allow utility projects to proceed while also allowing tax paying property owners some rights also. I ask for your support of this amendment to HF1182 so Minnesota citizens can at least try to get a more realistic compensation when a project such as MinnCan or CapX is forcing an easement through their property. A handful of property owners whose land is seized and who will live forever with this utility in their yard, should not be forced to accept an unreasonably low compensation for their property while all citizens see the benefits of these upgraded utilities. Over the decades these utilities operate the transmission corridor, the increased

cost of the easement acquisition would be extremely small when divided between all benefiting people; their customers—Excel one of the CapX partners, states they have 3.4 million electricity customers on their website. Why should a few unlucky customers be forced to subsidize the rates of millions by having their land taken as a transmission corridor, receiving unfairly low compensation as the current law now allows? We need to strike the preferential status given to these utilities by amending the law as Rep. Bly has proposed. Affected homeowners will be able to negotiate a better reimbursement for their land having lawyer and appraisal fees compensated more adequately.

This issue is very important to me as well as many Minnesota citizens and I thank you for your prompt passage of this amendment.

Theresa Ruhland  
8375 West 280<sup>th</sup> Street  
New Prague, MN 56071